

Approved For Release [REDACTED] DP78-04718A002300290011-5

CONDITIONS OF GOVERNMENT EMPLOYMENT OF RETIRED OFFICERS

1. There is no restriction on the employment of regular or reserve officers retired for disability incurred in combat or caused by an instrumentality of war.
2. Regular officers and Reserve Officers retired for injuries or incapacity incurred in line of duty but not incurred in combat or caused by an instrumentality of war can be employed but may only receive concurrently civilian pay and retired pay on account of commissioned service at a combined annual rate not in excess of \$10,000.
3. Reserve officers retired for longevity under Title II and Title III of Public Law 810, 80th Congress, may be employed if the combined rate of retired and civilian pay does not exceed \$10,000. If it does, the individual shall be entitled to the pay of the civilian office or position or the retirement pay, whichever he may elect. Exception is made in the case of: Army and Air Force Officers retired under Title III, Public Law 810, and who prior to January 1, 1953, were members of the Officers Reserve or National Guard; or officers of any service retired under Title III who after January 1, 1953, were members of a reserve component. Officers so identified are under no dual compensation restrictions. Following is a summary of the provisions of Title II and Title III of PL 810:

Title II - Any officer on the active list of the Regular Army, the Regular Air Force, or Philippine Scouts or any officer of the reserve components of the Army of the United States or of the Air Force of the United States who shall have completed not less than twenty or more than thirty years' active Federal service in the Armed Forces of the United States, at least ten years of which shall have been active commissioned service, may in the discretion of the Secretary of the Army or the Secretary of the Air Force be retired upon his own application.

Title III - Any person who, upon attaining or having attained the age of sixty years, has performed satisfactory Federal Service (as defined in PL 810) in the status of a commissioned officer, warrant officer, flight officer, or enlisted person in the Army of the United States, including the respective reserve components thereof, and also including the federally recognized National Guard prior to 1933, the United States Navy including the reserve components thereof, the United States Marine Corps, including the reserve components thereof, and has completed an aggregate of twenty or more years of such satisfactory service in any or all of the aforesaid services shall, upon application therefor, be granted retired pay (subject to certain conditions pertaining to the length and type of service as expressed in PL 810).

4. Other regular commissioned officers retired for longevity may not hold a second office if the compensation from either retirement or the second office amounts to \$2,500 per annum. If employment is possible because neither the retirement pay nor civilian salary exceeds \$2,500, the combined rate from the two sources of income may not exceed \$3,000 per year, and if it does, the civilian salary is paid in full and the retired pay reduced to bring the combined rate within \$3,000.

5. Under the authority contained in Public Law 53, 82nd Congress, this Agency can employ fifteen (15) regular retired officers without regard to the restriction in paragraph 4 above. However, officers hired by the Agency under the authority of Public Law 53 are required to forfeit either the civilian pay or the retirement income for the duration of their employment.

Prepared 25 February 1957

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DD/S-57-1926 - 1st Att: "Employment Under Public Law No. 53 (Secret)" -
2nd att: "Conditions of Government Employment of Retired Officers."

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MEMORANDUM FOR: Mr. Dulles

In accordance with your request, attached hereto is a status report on our current employment situation under Public Law No. 53. I have also attached a brief summary of the conditions of Government employment of retired officers which you may wish to review.

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L. K. White

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13 Jun 57
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FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

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